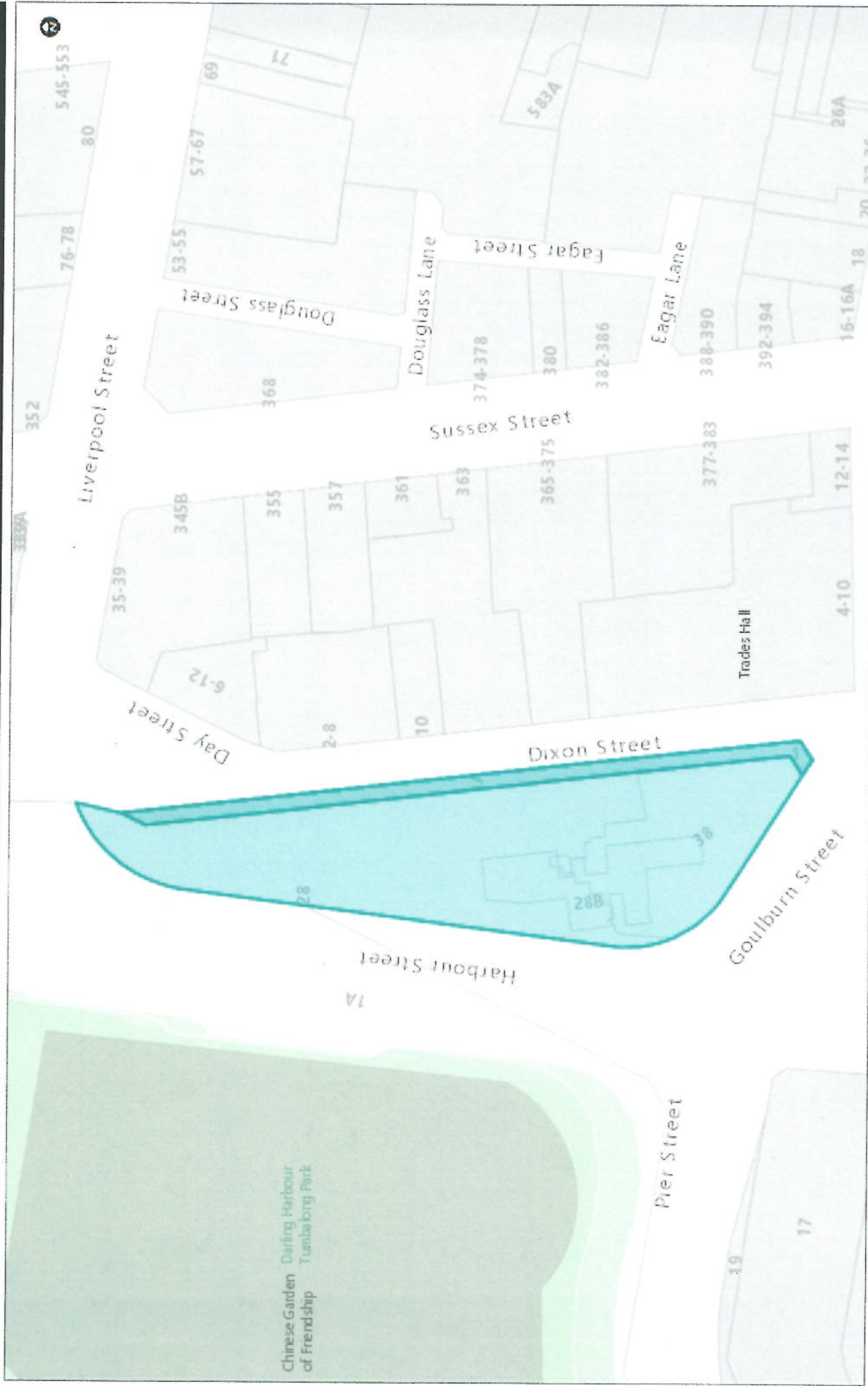


Attachment J

**Inspection Report – 1 Dixon Street,
Sydney**



**Council Investigation Officer Inspection and Recommendation Report
Clause 17(2) of Schedule 5, of the Environmental Planning and Assessment Act
1979 (the Act)**

File: CSM 2035004

Officer: Andrew Porter

Date: 13 February 2019

Premises: 1 Dixon Street Sydney

Executive Summary:

Council received correspondence from the Commissioner of Fire and Rescue NSW (FRNSW) in relation to the subject premises with respect to matters of fire safety.

Specifically the correspondence from FRNSW related to matters of fire safety concerning the 'CEO Karaoke' on one of the basement levels within the building and faults and isolations upon the building fire indicator panel noted during FRNSW inspection.

The premises is located within a high rise nineteen storey building which bounds, Harbour Street, Liverpool Street, Dixon Street and Goulburn Street, Sydney. The building contains a mixture of uses and comprises of residential apartments, hotel accommodation, retail inclusive of a number of license premises and car parking.

FRNSW further inspected the premises on 14 December 2018 and noted within the report to Council that the faults and isolations had been removed from the building fire indicator panel and the system returned to normal.

The premises are equipped with numerous fire safety systems (both active and passive) that would provide adequate provision for fire safety for occupants in the event of a fire.

The subject premises is affected by a fire safety order (issued 9 May 2017 and modified 17 January 2019) which is currently in the latter stages of compliance.

An inspection of the premises undertaken by a Council investigation officer in the presence of the building manager revealed that there were two additional faults upon the buildings fire indicator panel. The dates the faults were registered by the panel were 4 February 2019 and 7 February 2019 respectively. Other than the faults identified there are no new (additional) significant fire safety issues that would lie outside the scope of the present order.

It is considered that the items identified by FRNSW have been addressed by the scope of works specified under the fire safety order.

Observation of the external features of the building did not identify metallic sheet cladding.

Chronology:

Date	Event
12/02/2019	FRNSW correspondence received regarding premises 'CEO Karaoke' at 1 Dixon Street, Sydney.
13/02/2019	An inspection of the subject premises was undertaken by a Council officer who found that there was two additional faults registered on the buildings fire indicator panel, and the other issues raised by FRNSW are subject of the current fire safety order with the major portion of those works completed.

FIRE AND RESCUE NSW REPORT:

References: BFS18/3694; TRIM D19/8485

Fire and Rescue NSW conducted an inspection of the subject premises on 8 December 2018. The inspection report relevant to this inspection is dated 11 February 2019 and was provided to the City on 12 February 2019.

Issues: The report from FRNSW detailed the following issues within the building:

- The buildings fire indicator panel had 19 faults and 20 isolations;
- Statutory exit signage was not provided in accordance with the Regulations;
- Portable fire extinguishers were obstructed and one extinguisher was missing from its mounting;
- Fire hose reels were found to be wound incorrectly;
- The annual fire safety statement was not prominently displayed within the building;

FRNSW Recommendations: FRNSW have made several recommendations within their report. In general FRNSW have requested that:

1. Council in its capacity as the regulatory authority, inspect and address any other deficiencies identified on the premises and require items identified by the report to be addressed appropriately.
2. Council advise FRNSW of its determination in relation to this matter in accordance with the provisions of clause 17(4) of Schedule 5 of the Environmental Planning and Assessment Act 1979.

COUNCIL INVESTIGATION OFFICER RECOMMENDATIONS:

Issue Order(NOI)	Issue emergency Order	Issue a compliance letter of instruction	Cited Matters rectified	Continue to undertake compliance action in response to issued Council correspondence	Continue with compliance actions under the current Council Order	Other (to specify)

That Council note that the owners of the building have already been served with an Order under the requirements of the Environmental Planning and Assessment Act, 1979.

The issued fire safety order once deemed compliant will provide the occupants of the premise with adequate provisions for fire safety.

Follow-up compliance activities are being undertaken by a Council officer to ensure identified fire safety matters are suitably addressed and that compliance with the terms of Council's Order are met.

It is recommended that Council not exercise its powers to give an order at this time, having regard to the existing Order mentioned in this report.

That the Commissioner of FRNSW be advised of Council's actions and determination.

Referenced documents:

No#	Document type	Trim reference
A1.	Fire and Rescue NSW report	2019/080884-01
A2.	Locality Plan	2019/080884-02
A3	Attachment cover sheet	2019/080884-03

Trim Reference: 2019/080884

CSM reference No#: 2035004



File Ref. No: BFS18/3694
TRIM Ref. No: D19/8485
Contact: [REDACTED]

11 February 2019

General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2001

Email: council@cityofsydney.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
'CEO KARAOKE'
1 DIXON STREET SYDNEY ("the premises")**

Pursuant to the provisions of Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 8 December 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW). The inspection was conducted in the company of Officers from the NSW Police Force.

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia – Volume One Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed may relate to the building's age or contradict development consent approval. In this regard, it is at council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

- 1A. Automatic Fire Detection and Alarm System – The main Fire Indicator Panel (FIP), located in the Fire Control Room at Harbour Street, was inspected. The FIP indicated that the system had 9 faults and 20 isolations associated with the Automatic Fire Detection and Alarm System, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Following the inspection, the management company responsible for the building, PJM Building Management, were advised of the issue with the FIP and agreed to engage a service technician to rectify the faults and isolations.

On 14 December 2018, a follow up inspection of the premises was carried out. At the time of the inspection the faults and isolations had been removed and the system returned to normal.

At the time of the follow up inspection, a fault was noted at the Emergency Warning and Intercommunication System, relating to a Break Glass Alarm at level 18. The Operations Manager (Towers Building and Property Management) was aware of the fault and had already undertaken arrangements to repair the fault.

- 1B. Fire Door – The double doorset between the back of house area and corridor (adjacent to room 11) includes self-closing devices and door seals and appears to be a fire door, however no signage has been installed on the door contrary to the requirements of D2.23 of the NCC. Furthermore, the metal tag to the edge of the doorframe has been painted over, contrary to the requirements of Clause 6.1 of AS 1905.1-2015.

1C. Portable Fire Extinguishers (PFE)

- i. The PFE located adjacent to the bar area was obstructed by a fridge and beer taps and was not readily accessible at the time of the inspection, contrary to the requirements of Clause 3.2 of AS 2444-2001.

- ii. A sign for a PFE has been installed adjacent to the double doorset within the back of house area however no PFE or mounting hook was visible within the immediate vicinity of the sign.
 - 1D. Fire Hose Reel (FHR) – A number of FHRs were observed to be wound incorrectly, which may prevent occupants from being able to freely run out the fire hose reel when subject to horizontal pull without experiencing any difficulties, contrary to the requirements of AS 2441–2005.
 - 1E. Exit Signs – The exit sign above the door providing direct egress from the back of house area into the corridor, is missing the pictorial element from the sign and was not illuminated, contrary to the requirements of Clause E4.5 of the NCC and Clause 182 of the EP&A Regulation.
2. Generally
- 2A. Annual Fire Safety Statement (AFSS) – Clause 177(3)(b) of the EP&A Regulation states that the AFSS must be prominently displayed in the building. At the time of the inspection the AFSS was not prominently displayed.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 2 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17(4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact [REDACTED] of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/3694 for any future correspondence in relation to this matter.

Yours faithfully


[REDACTED]
Senior Building Surveyor
Fire Safety Compliance Unit